IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE ELEVENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

and
THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 18482 of 2004

Between:

Sri Md. Hassanuddin S/o Sri Jahangir Saheb
R/o House No. 19-5-40/107, Kishan Bagh, Hyderabad

..... PETITIONER

AND

1 The Assistant Secretary, Regional Transport Authority, (South Zone), Hyderabad
2 The Motor Vehicles Inspector, RTA, Hyderabad South Zone, Hyderabad

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ order or direction especially one in the nature of Writ of Mandamus declaring the seizure of the petitioner's vehicle bearing NO. APO 3275 vide vehicle check report NO. 2565502 dated 25-8-2004, under Section 8 of A.P. Motor Vehicles Taxation Act, 1963, as illegal and arbitrary and consequently direct the respondents to release the petitioner's Vehicle bearing No. APO 3275.

Counsel for the Petitioner:MR.CH.RAVINDER

Counsel for the Respondents: GP FOR TRANSPORT

The Court at the stage of admission made the following ORDER: (per BN,J)

Heard learned Counsel for the parties. With their consent, the Writ Petition is disposed of at this stage.

It appears that the vehicle has been seized for violating the conditions of permit and for some other alleged offences. In the interest of justice, we however, direct that the vehicle be released on payment of tax due, to the registered owner of the vehicle, without prejudice to his rights in the enquiry and further subject to filing an undertaking to the effect that he shall not alienate or in any way encumber the vehicle.

The Writ Petition is accordingly disposed of. No costs.

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(BILAL NAZKI, J)

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(S.ANANDA REDDY, J)

11th OCTOBER, 2004.

Note: furnish c.c. in two days.

B/o

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To

1 The Assistant Secretary, Regional Transport Authority, (South Zone), Hyderabad.
2 The Motor Vehicles Inspector, RTA, Hyderabad South Zone, Hyderabad

3 Two CCs to the Government Pleader for Transport, A.P.High Court Buildings, Hyderabad (OUT)

4 Two CD copies.